

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61487 of 2024

Arising Out of PS. Case No.-171 Year-2024 Thana- CHAINPUR District- Kaimur (Bhabua)

Chirkut Rajbhar S/O Shiv Pujan Rajbhar Resident of Village - Ramgarh, P.S. -
Chainpur, District - Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Sunil, Adv.

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Chainpur P.S. Case No. 171 of 2024 instituted for the offences
under Sections 25(1-B)a, 26, 35 of the Arms Act.

3. As per prosecution case, the accusation against the
petitioner along with co-accused Paras Rajbhar of keeping
illegal arms in their house as also using the same to create terror
in the society. On receipt of such information, the Police made
raid at the house of the petitioner and recovered one *Desi Katta*
with one loaded live cartridge along with two other live
cartridges from the conscious possession of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.



He further submits that in fact nothing incriminating has been recovered from the conscious possession of the petitioner. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 16.05.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chainpur P.S. Case No. 171 of 2024.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

